

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 03 CV 12485 GAO

IVAN D. CARRASCO and
RAUL CARRASCO,
Plaintiffs

v.

SEAN GANNON
Defendant

VERDICT ON SPECIAL QUESTIONS TO THE JURY

A. IVAN CARRASCO

1. Has the plaintiff Ivan Carrasco proven by a preponderance of the evidence that Sean Gannon violated his federal civil rights?

YES _____ NO _____

If "Yes" proceed; If "No" proceed to Question No.A.3.

2. Has the plaintiff Ivan Carrasco proven by a preponderance of the evidence that Sean Gannon violated his rights under the Massachusetts Constitution using threats, intimidation and/or coercion:

YES _____ NO _____

Proceed.

3. Has the plaintiff Ivan Carrasco proven by a preponderance of the evidence that: (1) Sean Gannon intended to inflict emotional distress or that he knew or should have known that emotional distress was the likely result of the conduct; (2) that the conduct was extreme and outrageous and was beyond all possible bounds of decency and was utterly intolerable in a civilized community; (3) that the actions of Sean Gannon were the cause of the plaintiff's distress; and (4) that the emotional distress sustained by the plaintiff severe and of a nature that no reasonable person could be expected to endure it?

YES _____ NO _____

Proceed.

If you answered yes to any part of one or more of Questions A.1 through A.3, please answer Question A.4; otherwise proceed to Part B.

4. What amount of compensatory damages, if any, do you award to Ivan Carrasco against Sean Gannon?

Amount in numbers:

\$ _____

Amount in words:

B. RAUL CARRASCO

1. Has the plaintiff Raul Carrasco proven by a preponderance of the evidence that Sean Gannon violated his federal civil rights?

YES _____ NO _____

If "Yes" proceed; If "No" proceed to Question No.B.3.

2. Has the plaintiff Raul Carrasco proven by a preponderance of the evidence that Sean Gannon violated his rights under the Massachusetts Constitution using threats, intimidation and/or coercion:

YES _____ NO _____

Proceed.

3. Has the plaintiff Raul Carrasco proven by a preponderance of the evidence that: (1) Sean Gannon intended to inflict emotional distress or that he knew or should have known that emotional distress was the likely result of the conduct; (2) that the conduct was extreme and outrageous and was beyond all possible bounds of decency and was utterly intolerable in a civilized community; (3) that the actions of Sean Gannon were the cause of the plaintiff's distress; and (4) that the emotional distress sustained by the plaintiff severe and of a nature that no reasonable person could be expected to endure it?

YES _____ NO _____

Proceed.

If you answered yes to any part of one or more of Questions B.1 through B.3, please answer Question B.4; otherwise proceed to the end and have the jury foreperson sign the document.

4. What amount of compensatory damages, if any, do you award to Raul Carrasco against Sean Gannon?

Amount in numbers:

\$ _____

Amount in words:

SIGNED:

Foreperson of the Jury

Dated: _____